



This Bill Analysis reflects the contents of the bill as it was presented in committee.

HOUSE BILL 95: Threaten Elected Official/Increase Punishment.

2025-2026 General Assembly

Committee:	House Judiciary 2. If favorable, re-refer to Rules, Calendar, and Operations of the House	Date:	March 11, 2025
Introduced by:	Reps. Kidwell, Moss, Adams, Wheatley	Prepared by:	Susan Sitze
Analysis of:	PCS to First Edition H95-CSSA-4		Staff Attorney

OVERVIEW: *The Proposed Committee Substitute (PCS) for House Bill 95 would do the following:*

- *Add local elected officers to offenses for assault or threats against executive, legislative, or court officers.*
- *Increase the penalties for assaulting or threatening an executive, legislative, court or local elected officer.*
- *Require pretrial release conditions to be determined by a judge for any person charged with assaulting or threatening an executive, legislative, court, local elected, or election officer.*

BILL ANALYSIS:

Section 1 of the PCS would amend Article 5A of Chapter 14 of the General Statutes to include local elected officers in offenses prohibiting assaulting or threatening executive, legislative, or court officers.

The term "local elected officer" would include any elected officer of a political subdivision of this State.

This section would also increase the penalties for those offenses as follows:

- Assault on an executive, legislative, court, or local elected officer:
 - Generally - increased from a Class I felony to a **Class G felony**.
 - With use of a deadly weapon – increased from Class F felony to **Class D felony**.
 - Inflicting serious bodily injury – increased from Class E felony to **Class C felony**.
- Threat to inflict serious bodily injury or death against executive, legislative, court, or local elected officer - increased from Class I felony to **Class H felony**.

Section 2 would amend G.S. 163-275(11) which prohibits threatening election officials in connection with an election to include threats made because of the election official's duties.

Section 3 enacts a new G.S. 15A-534.9 which does the following:

- Establishes additional requirements for bail and pretrial release conditions for a defendant charged with assaulting or threatening an executive, legislative, court, or local elected officer or threatening an election officer which are similar to the conditions placed on defendants charged with domestic violence.

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House 95 PCS

Page 2

- Requires that a judge determine the conditions of pretrial release for a defendant charged with rioting or looting, unless 48 hours have elapsed, at which time a magistrate may determine the conditions.

EFFECTIVE DATE: This act would become effective December 1, 2025, and apply to offenses committed on or after that date.